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| | | Application Number | 10/658,581 |
| | | Filing Date | 09/09/2003 |
| | | First Named Inventor | James Dennis Hagan |
| | | Art Unit | 3641 |
| | | Examiner Name | Troy Chambers |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 84566 |

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--|----------|--------|
| Firm Name | NAVAL SURFACE WARFARE CENTER DAHLGREN DIVISION | | |
| Signature | | | |
| Printed name | SCOTT R. BOALICK | | |
| Date | April 15, 2005 | Reg. No. | 42,337 |

CERTIFICATE OF TRANSMISSION/MAILING

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| Typed or printed name | DEBORAH G. BLAKLEY | Date | 4/15/05 |

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Attorney's Docket No.: Navy Case 84566

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Dennis Hagan
Serial No. : 10/658,581
Filed : September 9, 2003
Title : PRESSURE-RELEASED BRAKE ASSEMBLY FOR RESTRAINING
PROJECTILE IN LAUNCH TUBE

Art Unit : 3641
Examiner : Troy Chambers

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P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Notice of Allowance of January 18, 2005, Applicant submits the following comments on the statement of reasons for allowance.

The Examiner's statement of reasons for allowance stated that independent claims 1, 9 and 17 "require a *means for positioning* the pin" and that, "[i]n accordance with 35 U.S.C. 112(6), the *means for positioning* in claims 1, 9, and 17 are defined by claims 6, 14 and 21, respectively." It is true that claims 6, 14, and 21 depend from independent claims 1, 9, and 17 respectively. But it is improper to import limitations of dependent claims 6, 14, and 21 into independent claims 1, 9, and 17. Instead, the limitations of independent claims 1, 9, and 17 are to be interpreted under proper claim construction jurisprudence.

If the Examiner has any questions, he is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

Date: April 15, 2005

A handwritten signature in black ink, appearing to read "S. R. Boalick".

Scott R. Boalick
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